

Appl. No.: 09/125,700
Reply to Office Action of: 02/10/2006

Fig. 6 and its description for the sake of accelerating the appeal process, or file a concurrent petition to the Commissioner.

Claims 1-9, 11-13 and 15-17 were rejected under 35 U.S.C. §112, first paragraph. Claims 1-9, 11-13 and 15-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi et al. (US 5,722,055) in view of Semenik et al. (US 5,233,506). Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi et al. (US 5,722,055) in view of Semenik et al. (US 5,233,506) and Takagi (US 5,235,636). The examiner is requested to reconsider these rejections.

The arguments regarding the rejection under 35 U.S.C. §112, first paragraph contained in the appeal brief are hereby incorporated by reference in their entirety. The examiner is requested to reconsider his rejection in view of the arguments contained in the appeal brief. In the absence of the examiner withdrawing this rejection, it is applicants' intention to proceed back to the appeal process. However, the examiner is requested to address the objection to Fig. 6 noted above to simplify issues on appeal.

Claim 1 claims a first housing, a second housing and a cover. The cover is part of a retaining means for retaining electronic components (excluding the key unit) to the first housing when the second housing is released from the first housing. The second housing is releasably attached to the first housing by a press-on/catch. Kobayashi et al. and Semenik et al. do not disclose or suggest the unique

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combination recited in claim 1 of a first housing, a second housing and a cover, wherein the cover is part of a retaining means for retaining electronic components (excluding the key unit) to the first housing when the second housing is released from the first housing, and the second housing is releasably attached to the first housing by a press-on/catch. The examiner stated that "43" in Kobayashi et al. is equivalent to applicants' claimed cover of applicants' claimed retaining means. This is incorrect. "43" in Kobayashi et al. is a shielding plate attached to a shield case 40. The shielding plate 43 in Kobayashi et al. does not form a retaining means for holding electronic components to the first housing 23.

Furthermore, Semenik et al. merely discloses a snap-lock connection of two housing pieces. This is not the same as applicants' claimed releasable attachment. In fact, column 7, lines 5-10 specifically address preventing disengagement. It appears that the examiner has been using applicants' patent application as a template for combining the references. This is improper. Semenik et al. does not disclose or suggest releasably attaching the two housing pieces to each other. There is no disclosure or suggestion in Semenik et al. of a user releasable attachment. Semenik et al. merely discloses snap-lock attaching the two housing pieces to each other. A snap-lock attachment is not necessarily a user releasable attachment. A person skilled in the art, looking at Kobayashi et al. and Semenik et al. would not have found applicants' invention obvious because there is no disclosure or suggestion of the unique combination recited in claim 1 of a first housing, a second housing user releasably attached to the

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first housing, and a cover, wherein the cover is part of a retaining means for retaining electronic components (excluding the key unit) to the first housing when the second housing is released from the first housing, and the second housing is releasably attached to the first housing by a press-on/catch. The examiner is requested to reconsider his rejection. If the examiner is relying on a "well known in the art" rejection, than in accordance with MPEP §2144.03 the examiner is requested to cite a reference in support of his position.

Though the dependent claims contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1. However, to expedite prosecution at this time, no further comment will be made.

Claim 15 claims a back housing, a front housing and a retaining means comprising a cover. The retaining means holds electronic to the back housing. The front housing is releasably attachable by a user to the back housing by a press-on/catch closure.

Claim 16 claims a first housing, a second housing, and a retaining means comprising a cover for holding electronic components to the first housing. The second housing is releasably attachable by the user to the first housing by a press-on/catch closure.

Claim 17 claims a first housing, a second housing and retaining means comprising a cover for holding electronic components to the first housing. Attachment means are

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provided for releasably attaching the second housing to the first housing by a user.

For the same reasons that claim 1 is patentable over the cited art, claims 15-17 are also patentable. Shielding plate 43 in Kobayashi et al. is not a cover of a retaining means for retaining electronic components to the first housing 23; shielding plate 43 is merely attached to shield case 40. Semenik et al. does not disclose or suggest releasably attaching the two housing pieces to each other. There is no disclosure or suggestion in Semenik et al. of a user releasable attachment. Semenik et al. merely discloses snap-lock attaching the two housing pieces to each other. A snap-lock attachment is not necessarily a user releasable attachment. A person skilled in the art, looking at Kobayashi et al. and Semenik et al. would not have found applicants' invention obvious because there is no disclosure or suggestion of the unique combination recited in claims 15, 16 and 17. The examiner is requested to reconsider his rejections.

Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

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HARRINGTON & SMITH

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Respectfully submitted,

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4/27/06

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